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STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

March 10, 2006

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

Ref. No. EO-1598
Oahu

Consent to Renewal of Revocable Permit No. 12 for Lands under Governor's Executive Order No. 1598 to Kenneth and Esther Ohta; Waimanalo, Koolaulupoko, Oahu, Tax Map Key: (1) 4-1-025:036 (Portion)

CONTROLLING AGENCY:

Department of Agriculture, whose mailing address is 1428 South King Street, Honolulu, Hawaii 96814-2512.

APPLICANT:

Kenneth and Esther Ohta, husband and wife, who inherited the fee interest in an adjoining property previously owned by the Harry M. Okumura, deceased, who was the prior permittee under Revocable Permit No. 12.

LEGAL REFERENCE:

Section 171-11, Hawaii Revised Statutes, as amended.

ZONING:

State Land Use District: Agricultural
City and County of Honolulu CZO: AG-2, General Agricultural District

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to
the Hawaii State Constitution: YES ____ NO X

CURRENT USE STATUS:

Governor's Executive Order No. 1598 to Department of Agriculture for Operation and

Maintenance of an Irrigation System to Develop Small Scale Farming purposes.

REVOCABLE PERMIT TERMS & CONDITIONS:

LOCATION AND AREA:

Portion of lands situated at Waimanalo, Koolauloko, Oahu, identified by Tax Map Key: (1) 4-1-025:036 (portion), consisting of approximately 2,250 square feet, more or less, as shown on the attached map labeled Exhibit A.

CHARACTER OF USE:

Maintenance and repair of a bridge structure to provide ingress and egress for Permittee's access to personal residence (TMK: (1) 4-1-025:024)

TERM:

12 month period, Commencing December 1, 2005.

RENT AMOUNT:

Gratis

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

The controlling agency shall be responsible for ensuring compliance with Chapter 343, HRS.

DCCA VERIFICATION:

Not applicable.

REMARKS:

Governor's Executive Order No. 1598, signed on November 27, 1953 by the Governor of the Territory of Hawaii, for the operation and maintenance of an irrigation system to develop small scale farming, to be under the control and management of the Hawaii Irrigation Authority. In accordance with Section 21, Act 306, Session Laws of Hawaii 1987, all of the elements comprising the Waimanalo Irrigation System was transferred to the control and management of the Board of Agriculture from the Board of Land and Natural Resources.

The subject area is a portion of the irrigation ditch that has been abandoned since the construction of a new underground pipeline and 60-million gallon reservoir. The predecessor (Hideki Okumura) of the Estate of Harry M. Okumura previously held Revocable Permit No. S-3555 for ingress and egress purposes between 1964-2000. The

Permittee had constructed a vehicular bridge for ingress and egress purposes only, has maintained the bridge structure since 1964, and agrees to continue the maintenance of the bridge.

In their letter dated February 2, 2006, the Department of Agriculture has informed our office that the Board of Agriculture, at its meeting on December 20, 2005, has authorized the renewal of the subject revocable permit and is requesting for the Land Board's consent.

RECOMMENDATION:

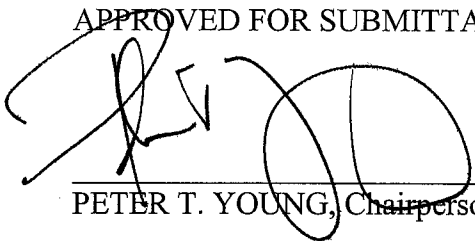
That the Land Board, consent to the revocable permit between Department of Agriculture and Kenneth and Esther Ohta, husband and wife, subject to any applicable conditions cited above which are which are by this reference incorporated herein and further subject to the following:

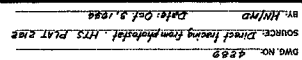
1. Review and approval by the Department of the Attorney General; and
2. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

 
Steve Lau
Land Agent

APPROVED FOR SUBMITTAL:


PETER T. YOUNG, Chairperson



SUBJECT TO CHANGE

WAIMANALO FARM LOTS, WAIMANALO, KOOLAUPOKO, OAHU.